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VOLUME XXIV. PHILADELPHIA, SATURDAY, NOVEMBER 25, 1843. WHOLE NO. 1165.

Original Poetry.

THE WAR-SPIRIT'S SONG.

WRITTEN FOR THE UNITED STATES SATURDAY POST, BY EDWARD J. PORTER.

Twice, twice, twice,
O'er the sleeper's brow,
Leathes that night
In the radiant glow
Of the moon's full orb,
While her silvery flood
Is poured through the lonely
Of the deep primeval

Twice, twice, twice
Stood the vesper star,
To the last most shine
Ere the flesh of war
We will lend the bower
Of the slumbering lover,
Ere their life must close
In the lonely grave

Twice, twice, twice
O'er the lover's bed,
Ere next eve's decline
To be darkly hid —
Let him watch one ray
From his lady's bower,
Ere his soul pass away
In the battle's hour.

Twice, twice, twice
O'er the warrior-bard,
Both leaves an thine
In his dark sepulchre,
Let his soul be poured,
In its last bright gush,
Ere he grasp the crucifix
Where the life-streams rush.

Three twice the wreath,
And wreaths we sing,
Whose leaves are of death
At they glide along
Mummed, I might, lover
And immortal all,
Ere next season we cover
With our deathless pall.

Nantucket, N. Y.

Original Tales.

LOVE AND REVENGE.

Or, The Phantom Page.

BY ORLANDO GEORGE.

It was a terrible day for Mortagne. A thousand knightly lances bristled round her walls, flashing in the sunbeams like tiny lightnings on the sight of her defenders, as their arms, and rode furiously to and fro among the closely columns of infantry that deployed upon the sunny plain below, looking on the fortress. In a few moments, the three gates of the town cracked and groaned before the impetuous onslaught of the besiegers, but the fortress was impregnable, and the Earl of Hainault weathered, with Sir John, his uncle, whose knight house was counted legion when death descended to his race, and the Earl Raimbaut of Beaujeu, the bravest knight of England and Germany.

some of which were their own countrymen, but more were volunteers from the army of Edward III., before whose advances the towers of Cressy were rapidly crumbling.

The assault of Mortagne was carried on with desperate bravery, at every assailable point; but Guyenbaut was not the man to surrender the martial prowess of the invaders for once was fully matched. The weakest spot was to the gate that opened toward Calais, and there the battle raged most hotly. Its situation was on the very brink of the river, where the gothic bridge of the Lys, the tomb of the Earl, stationed himself, with the flower of his followers. He was armed with a strong lance, having a sharp hook of steel near the point, by which, if which more than half a score of his enemies were hurled headlong into the crimson tide below. At length the assailants burst through of a fray so hapless, when a reinforcement arrived for these, headed by a stalwart knight who dashed furiously toward the breach in the war-cry of Merry England. An instant, and the shivering arrow rung a thrill of fear to many a warrior's heart, as she lanced around on her defenceless children, for the mates of the contending armies was "no quarter," and no meet cause they acted up to their name on the very letter. For a long time victory hung in an even balance, but the strength of the defenders was gradually failing them, on account of the incessant exertion which they were obliged to put forth, while their foes came fresh to the combat, which was now carried on hand to hand. Beaujeu still maintained his post at the embattled gate, like the guardian genius of the place, but he was fearfully wounded, and he was nearly surrounded. At one time he was alone engaged with two powerful opponents, one of whom was the leader before referred to, and his case seemed desperate. They struck together, so that it was almost impossible to defend himself. He sound was broken —they were so near that his lance would not avail him, and with despair he cast both their wounds pleasantly, for he looked upon the ultimately both strikes were dexterously parried by a brave page, who rushed to the side of the governor at this critical moment to shield him with a sword. Again the iron arm of Beaujeu fell, and one of his enemies, rolling to the tyrant's verge, slept in the sullen waters, when turning to the other, he saw his broad falcon poised over the head of the disarmed page, whose light armour would have been settled as a cap of parchment by its descending weight. Beaujeu received the blow of the English leader on the back of his upon his shield, and now commenced the combat that decided the fate of the day, for each party paused to the rescue of its respective commander. The Englishman appeared to be rather an overmatch for the exhausted governor, until his foot tripping, a blow from the leader of Hainault would have settled in the page sprung forward and lengthed his life, which was granted, and the assailants seeing their leader a prisoner were so discomforted that they immediately desisted from the attack.

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"I am sorry; for I should like to see him. But if you had been a pace more distant at one time to-day, we should have little difficulty in finding him—if indeed he had not been completely annihilated by the blow you prevented."

"Annihilated! Is he a spirit?"

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"And Louise," added the governor, seriously, "it does not well become you to speak thus lightly of a person who has saved the life of your father, our town from pillage, and yourself from something worse, perhaps than captivity. I have not yet learned under what circumstances his heroic act was done, and I am astonished that you should think it so small a matter."

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Beaumont blushingly replied to this somewhat equivocal compliment, and soon after the lady Louise wishing them a good evening, retired for the night. As the captive lord gazed after her it seemed as if something came over him, and he thought he had never seen so much real beauty combined with a bearing so gracefully imperial and majestic.

The two lords sat for half an hour conversing on military affairs, and the prospect with the morrow. He was thus being waged for the crown of France, and they were about separating to their respective apartments, when the door of the room in which they were seated, slowly and noiselessly opened, and the page who had been the cause of so much wonder stood before them. He was now differently dressed from what he had been when seen in the daytime, but the size of his person and the glittering blade at his knee were sufficient to convince them of his identity. Every visible portion of his dress was of a snowy whiteness, even to the tunic that partly covered his cuirasse, and above which waved a heavy plume of black ostrich feathers, giving in the wearer an altogether frightfully singular appearance. The same pale visor that he had worn in battle covered his face—and there he stood, directly before them, motionless as a statue, and they saw as the dark plume was tossed in the night breeze. Surprised at the suddenness of the apparition, the knights arose, and the lord of Beaujeu, first at their strange visitor, and then at one another, till at length the Lord of Beaujeu observed sufficiently to speak:

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And now Harriet was more wretched than ever. Now, that she had more experience of the happiness of being loved, caressed, admired, she could not endure life unlit[erated] by tender-ness, depression upon depression [fell] on her heart, and clinging to all who could offer her affection, it had been only by a violent struggle that she had forced herself into a state of apparent apathy, during the first few weeks of her marriage; but, now, overcome by grief, she had recourse to the only means that she knew of relieving herself by the violence of tears. Her husband's kindness only increased her misery.

Her self-reproaches for her coldness and neglect had multiplied, and she loathed her heart; and would, had not conscience held her back, have left him with all the new and overpowering affection for fanny smothered in its depths.

The interesting young officer, before mentioned, had fallen in love with Harriet at first sight, ere Lord Mowbray had left the house; and, though disappointed in the field by his bravery and skill, still more fatal was the art he had neither learned nor dreamed of. Visiting from time at the house, he soon saw how unhappy[one], and penetrated its cause. Harriet's beauty, which had struck him even more impressively with refined and noble tenderness, almost irresistible to a mind like his, and he received instantly into her confidence—read with her, walked with her, sang with her—praised her mind and heart—called her "the safest of his soul," and so absorbed himself in her tastes and her affections that Harriet found herself on the verge of a precipice, ere she was aware she was even conscious of the danger of her situation. It was a sort of spiritual magnetism, which she tried in vain to resist.

Harriet would never have been guilty of actual sin—she was too proud and too pure for that; but, in a soul so highly wrought of a delicately and daintily organized as hers, the slightest shadow, in thought, look or deed, from the faith which was due to her husband, received a discord, irritated her sense of self-respect, and consequent misery and remorse.

And now Love and Pride were struggling with a violence of a terrible nature, but attended by the sound of no human help. Her self-reproaches, and, also, present faith, in consequence verse, the various emotions that were

CHAPTER VI.

Mr. Harewood had just returned from a long journey. He had been unsuccessful in two of those important projects, and, disgusted with the unscrupulousness of his partners, he had suddenly determined to abandon politics altogether. His heart yearned for his children, and he felt as it had never yearned before. He had been away from her so long! He needed to see her once more, to assure himself of her safety and comfort him, and he came prepared, not only to receive but to give caresses. He entered her breakfast saloon, intending to surprise her. She was seated at the tea-table, sorrowful and sad, with tears still lingering on her cheeks, and her face hardly recovering from the childish brow—her lips half parted, and sighing as she slept, and her whole attitude strikingly recalling that of sprang forward to her with a kiss, when a paper lying loosely in her hand, attracted his attention. He drew it softly from her. It was addressed "To My Husband," and standing himself then panified in reading it, he did on, with what emotions may be better imagined than told. It was as follows:—

Oh! hasten to my side, I pray!
I die—I die without you!
The night that comes, when there's array,
In loneliness I view.
The voice that silenced storms once sur-
Will sooth my every grief,
I hear, Ah! leave me not alone!
It speaks in accents low and deep,
Which pierce my heart like knives,
It makes me sentiments weep,
They gently soothe my love!

It calls me sooner, endearing names,
With Love's own eloquence,
My name, my darlin, it softly blames—
"To absent is my heart."
And dark, deep, eloquent, and filled eyes
Speak tenderly to mine
Beneath that gaze what feelings rise
It is more fond than fine!
A hand, even pride can scarce repel,
The hand can be more soft!
It is our safe—it is our weal!
We know we are fond!
I try to calm, to cold repose,
To check my heart's desire,
The heart that thrills, the cheek that glows—
Oh! what can I do more?
Oh! what can I do more than I have done?
To banish the source of life!
Less jarring, I feel, indeed, I feel
And closes the source of wife!
Come back! though cold and harsh to me,
There's a heart by thy side!
Better coldness, yet still, be
Than lost to truth, to pride!

Alas! my grief knows no bound,
In every thought and dream,
Nor—not to thee art my heart found,
But with—yes! still to him
Return with those cold eyes to me,
And chill my soul once more,
Still I'll be constant,
It beamed so well before!

Jealousy, anger, pity, remorse and love were at war in the breast of Harewood; but, with a moment's reflection through the past, upon his own conduct, the three latter components were kneeling by her side, he pressed his lips upon her brow. She murmured faintly in her sleep "Dear, darling husband! do you love me?" and the color trembled in her cheek like the rosy light of morning on the snow.

Harewood pressed her passionately to his heart, the tears trembled, subsided, penitent, yet happy at having acquired expression for the regrets and sins forgiven. She had overstated in her sensitive conscientiousness the extent of her error. Her fancy, her mind, rather than her affections, had been beguiled. Harewood felt at once that the dewy blossom of purity had never been bundled from the heart of his fragile flower, by the rude wing of the monster that had sought it, and heretofore it was cherished in its proper home—his own sinless and faithful breast!

FROM THE ORAL.

THE PRAYER OF A BEREAVED MOTHER."

BY FARE BENJAMIN

God! hear my prayer—for these alone will hear!
Ey on mine I love despairing, and heed!
Of all the treasures that my mortal life have
Not one, not one of my young darlings left.
All gone from them, when, Thou gavest sleep
Waking, I enter the solemn void to fill
With their sweet faces, beloved I weep,
Weep, weep and wonder if they love me still.

At eve I rouse them, when the twilight dew
In long, broad shadows o'er the quiet earth,
Here, and I, they murmured be repose,
And looked within their eyes, melodious mirth!
Oh! what a thrill my soul's deep heart was stirred,
When their voices blessed drank my gushing tears,
Were it not better, God! that I had died
Through the dark dawn of their young years?

Then came at my innocent, my wrongs, my pain,
The cruel wrongs I, unrepaying, bore;
Oh! God! what would I not have given again
For the sweet tones I ne'er shall hear more?
I cannot think them—no! they live are still!
Each thought of them is a dagger without breath,
In breath, in sickness, noise, and music silence—
Bless all, all God! but bless my children those in death.

My heart, my heart will break; I cannot will
This spiritless grief, this life-consuming pain!
I have subsistence to the ranging will.
And yet, I pray, grant me my soul's desire!
Let me behold them, let me once more hear
Their gentle voices, let me hear their feet!
Mercy! in loneliness, embodied by fear,
And I will fold them in my arms and be

* In this poem, I have attempted—alas how feebly!—to express the anxiety and fear of a bereaved mother by the exact rules regulating cases of disease, to yield me the benefit of her children. To discover whether she be guilty or innocent, the monstrous law, rearing, nature, which ought to protect the helpless, she can be made to feel. When will legislators learn to be humane? When will our statutes be in unison with our knowledge?

Miscellaneous News.

FRENCH SPECULATION.—The colonies of the several States, having claims for spoliations committed by the French prior to 1800, were represented in a convention which assembled at New York on Wednesday. Committees were appointed to report the names of the claimants, to report a memorial to Congress and an address to the people of the United States.

DEATH OF MR. HASELER.—E. F. Haseler, superintendent of the United States Coast Survey died on Monday evening, at the Franklin House in this city, after a short illness. Mr. Haseler as an eminent mathematician and man of science, is well known in Europe and throughout this country. He was about 74 years old.

☞ The U. S. Brig Bruce, Lieut. Bollen, Commanding, sailed from Pensacola on the 9th inst. for Norfolk via Matanzas. The United States brig Boxbridge, Commander Macomb, Norfolk, bound for the West Indies, sailed on the 10th.

☞ Massachusetts has more troops than any other State in the Union, and even more, seventy-one thousand two hundred muster ship going more than New York.

☞ The total number of persons in the Alms House, New York, on the 11th, was 4791. In the Prance at Belle Vue, Blackwell's Island, and the city, 1686.

☞ Six hundred and thirty-five thousand five hundred and ninety-eight tons of coal have been shipped from the Schuylkill region, this season.

United States SATURDAY POST.

EDITED AND PUBLISHED BY SAMUEL D. PATTERSON & CO.

PhilaDelphia

SATURDAY MORNING, NOVEMBER 26, 1842.

NEW PREMIUMS.

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For FIVE DOLLARS, three copies of the United States Saturday Post, and either of the two periodicals.

For TEN DOLLARS, five copies of the United States Saturday Post, and either of the two periods.

For TWENTY DOLLARS, ten copies of the United States Saturday Post, and one of Graham's Magazine.

For FIFTY DOLLARS, twenty-five copies of the United States Saturday Post, one copy of Graham's Magazine, and two copies of the Ladies' National Magazine.

THE PRIZE STORIES.

The examination of the tales given in competition for the premium offered by the publication of the Post, proves, from their number and length, to be no slight duty. The Committee, consisting of Mr. O'Connell, and Messrs. Morris, Hon. R. T. Conrad and Joseph C. Neal, Esq., is in session, and the result of their examination will be announced at the earliest possible day.

OUR WEEKLY GOSSIP.

The Foreign News will be tested at in this paper with no little interest. The O'Connell trial is taking the time which the Saturday Post has already prophesied it would. The British ministry have no intention to make a martyr of Mr. O'Connell, and they only rise but will so conduct the matter as to give as little "heroic" interest to it as possible; and will manage if a so to finish the excitement before the close. The Irishmen themselves have helped this result, it is said, by the violence of their own influence that it is not impossible that the whole may end it is head laugh, as far as legal proceedings are concerned. A letter of the excitement, and when it is all over, the reporters will be met with some romances of reform, enough convictions to satisfy the excitement; and sufficiently to benefit old Ireland. All that she needs she must get one day or another—but it is better to receive it progressively, than all at once.

We issue but one more paper before the assembling of congress. What the political character of the next National Legislature will be, may be seen by the table published in another part of this day's paper. The first matter which will come up will be on the question of the right of members to seats, who have been elected by general ticket, contrary to the provisions of the apportionment law. It is not likely, however, that this matter will long retain undivided attention.

On our outside pages to-day the reader will find a sparkling variety of literary novelty, original and select. The story of shivalrous times, by Orlando George, is a rarity in these days of domestic stories and every day incidents. It is a novel from one of the old school,

United States SATURDAY POST.

TERMS OF SUBSCRIPTION, &c.

$3 per annum—$2 if paid in advance; $1,25 in advance for six months.

Postmasters are requested to *frank* their letters addressed to us. The word "*free*" of itself is not a frank.

Agents will please endorse their letters with their names or initials.

Other letters will not be taken from the Post Office unless the postage is paid.

Papers discontinued only at the end of the current half year's subscription, and then only at the option of the Publisher if arrearages are due.

Small Bank Notes of solvent Banks received in payment for our bills.

Agents are earnestly solicited to make quick remittances, without which it is difficult to keep accounts correct. They should always give names and time paid for.

Removals must always state the Post Office removed *from*, as well as to which the paper is to be addressed.

LIST OF AGENTS.

☞ The following agents will still act for the Saturday Post, under the new publishing arrangements.

☞ TRAVELLING AGENTS for Graham's Magazine, United States Saturday Post, and Lady's World of Fashion.

☞ We have no travelling agent by the name of Winchester.

Mr. C. W. JAMES, of Harrison street, Cincinnati, Ohio, is our Agent for Ohio, Indiana and Michigan, assisted by *Moses Meeker, Jas. R. Smith, O. H. Comstock, J. R. Humphreys, J. T. Dent and E. Y. Jennings.*

SAMUEL H. STEVENSON, assisted by *James H. Stevenson* and *John F. Johnson*, for Kentucky.

HENRY M. LEWIS is collecting for us in Alabama and Tennessee.

ISRAEL E. JAMES is Agent for us in the South and South-Western States and Florida, assisted by *James K. Whipple, William H. Weld, O. H. P. Stem, and Henry Platt.*

THOMAS SEVERN is our Travelling Agent for New York.

WILLIAM A. PIERCE collects for us in Pennsylvania.

JAMES PIERCE is our Travelling Agent in New Jersey.

W. H. and W. M. WHEELER, for Arkansas.

JAS. F. EASTON is collecting for us in Missouri, Illinois, and parts of Wisconsin and Iowa.

ALANSON BILLINGS, of Nashville, Tenn., is duly authorized to obtain new subscribers to Graham's Magazine, United States Saturday Post, and Lady's World. *Single copies* may also be had at his store in Nashville.

Notices of New Works.

GRAHAM'S LADY'S AND GENTLEMAN'S MAGAZINE *for December*, 1843. The liberal publisher of "Graham" has by great expenditure, made his Magazine "the leading periodical of the country," by the unanimous voice of the disinterested press, and of accomplished critics among all classes of literary men. Money has been showered upon this book like water. The ablest engravers, the best writers, the choicest typography and paper, have, with the utmost liberality, and even prodigality of expenditure, steadily and perseveringly followed, giving it a position and permanency—a hold of public esteem, which nothing can shake. Mr. Graham is now reaping a rich harvest, for his incessant vigilance, and manly, open-handed enterprise. We would rather be the owner of Graham's Magazine, than the most fortunate banker in Europe: for it gives its possessor unlimited scope for the exercise of talent and enterprise, and commanding literary influence, in addition to a princely return annually in a pecuniary way. It may be doubted whether a periodical ever held, even in Europe, so proud a position in point of circulation, respectability, and profit, as Graham's does at this moment. The simple secret of the success of this work—which has been an enigma to many—a thorn in the sides of rivals, and wormwood and gall to dozens of small souls—consists solely in the unswerving determination of the publisher, without regard to expenditure, to make it *the best*. The public has seen the end accomplished, and has rallied to the support of *excellence apparent on the face of the work*—in preference to supporting those who insult their understanding by attempting the shallow artifice of making up in noise what is lacking in merit, and by bolstering up a sinking fame by infamous attacks upon excellence, beyond their ambition, or above their reach.

The December number of this magazine has been upon our table for some days, and it is elegantly embellished with four engravings, "*The Mother's Jewel*," "*Day in the Woods*," "*Moss Roses, beautifully colored*," and the "*Winter Fashions*." The literary matter is from the pens of Willis, Herbert, Patterson, Grattan, Poe, Mesdames Sigourney, Osgood, Embury, Orne, and many others, acknowledged as the best writers. The following notice of this number we clip from the *Ledger*.

GRAHAM'S MAGAZINE, for December, is a number of unusual attraction. There are nineteen original contributors to the number, among whom are N. P. Willis, T. C. Grattan, F. J. Grund, W. E. Burton, L. H. Sigourney, E. C. Embury, F. S. Osgood, H. T. Tuckerman, E. A. Poe, S. D. Patterson and others, whose writings are equally admired. The embellishments are also superior, and that of the "Mother's Jewel," engraved by Welch & Walter, is very handsome; "Day in the Woods," a pretty picture; the "Moss Rose," a beautiful colored engraving. As handsome as the present number is, Mr. Graham intends to excel it in the forthcoming January number, and show what degree of excellence can be attained in magazine literature and illustration. It will be the most magnificent periodical ever issued, and worthy the celebrity of the leading magazines.

GODEY'S LADY'S BOOK. *December* 1843. Among the correspondents of Godey, in the present number we find Epes Sargent, Marianne Brown, H. W. Herbert, Mrs. Annan, Rev. N. P. Tillinghast, Seba Smith, Mrs. Lee, George Waterman, Rev. John Pierpont, T. S. Arthur and Miss Leslie. For embellishments we have an illustration to Herbert's story, "Venitia's Request," engraved by Dick; a pleasant country scene, by the same engraver, illustrative of country hospitality. This second is a capital picture. A wayworn traveller has stopped at a farm house gate; and the children all hesitating and some afraid, are bringing out the brimming pitcher of milk. The very dog is cautiously scrutinizing the stranger. It is a picture to study. The novelty among the embellishments is a plate of medallion seals, white on a blue ground.

A NEW WORK.—Mr. M. C. Field, of the New Orleans Picayune, recently returned from the Rocky Mountains, is about to write out a history of the jaunt. If he gives us bits beforehand, Capt. Munchausen Maryatt, R. N., will take the fragments, dish up a volume and put it forth as original, for the edification of John Bull. Such is the character of a book by Maryatt just published in England, and republished here of course. It purports to be written by the Capt. as the adventures of one Monsieur Violet, and is nothing but Kendall's Santa Fe Sketches, bewitched with Capt. Maryatt's own miserable slang woven in.

Army & Navy.

COMMUTATION OF SENTENCES.—The Army and Navy Chronicle of Thursday last says:—

On the 10th October, 1843, the sentence of the Marine General Court Martial in the case of 1st Lieut. Thomas T. Sloan, was commuted by order of the President of the United States, and he suspended for six months without pay from the 1st of September, 1843.

On the 20th October, 1843, the sentence of the Marine General Court Martial in the case of Major and Brevet Lieut. Col. William H. Freeman, was commuted by order of the President of the United States, and he suspended from rank and duty for the period of two years without pay and allowances, from the 18th July, 1843, and to be restricted to the State of Massachusetts during that time, in lieu of the sentence of the court before which he was tried.

☞ The U. S. brig of war Somers, J. W. West, commander, arrived at Havana on the 31st ult., with ten of the passengers of the bark Windsor, which vessel, bound from Boston to Havana, was wrecked on the 28th ult., about a mile east of Jarucho. The Captain and crew of the Windsor remained with the wreck, in order, if possible, to save the cargo.

☞ The Alexandria Gazette says:—We understand that an old barque has been purchased in New York, and brought round here, for the purpose of trying another explosive experiment, under the direction of the Navy Department.

☞ The U. S. frigate Cumberland left Boston early on Sunday morning. She is one of the finest of our National vessels, and is destined for the Mediterranean.

☞ The U. S. war sloop, Falmouth, Joshua R. Sands, Esq., commanding, last from Boston, arrived at Havana on the 28th ult.

The Farmer.

INTERESTING TO FARMERS.

An opinion of a nature highly interesting to our country friends, was given in the Common Pleas on Monday, by Judge King. The merits of the question may be gathered from the following introductory paragraphs of the opinion, which we transcribe:

The question for decision in this case arises under an *ordinance* of the *Select and Common Councils of the city of Philadelphia*, passed the 28th day of May, 1835, entitled, "A supplement to an Ordinance relating to Markets." The Supplementary Ordinance declares that, "the penalty imposed upon ANY PERSON for selling Beef in the Western moities of the High street Market, West of Delaware Fourth st., shall be Six Dollars."

The defendant having sold beef, on the 16th of September, 1843, in the High street Market, within the prescribed limits, this action was instituted by the City, to recover the penalty attached by the Ordinance, to such offence. The real object of the procedure is, however, to obtain the judgment of the Court on a question that has long vexed the city authorities and the Farmers and Butchers attending the High street Market. The facts necessary to raise the legal principles involved, have been agreed upon by the parties, to be these:

"The Defendant is a farmer residing in Chester County, Pennsylvania, where he cultivates a large farm of over three hundred acres of land, nearly the whole of which is in grass, and he is a Renter from the plaintiffs, at an annual rent of twenty dollars, of a farmer's stall in the Western moiety of the High street Market between Delaware Seventh and Eighth streets, in the city of Philadelphia. On the 16th day of September, 1843, he sold beef from his said stall. It is agreed that the bullock in question, the meat of which the defendant then exposed for sale, was not calved on the defendant's farm, but was purchased by him in Chester County, thirteen months ago, in a poor and lean condition, and then totally unfit to be slaughtered for the market; that the defendant did, from the time of his purchase of the said bullock, keep, feed and fatten him on his said farm, and on the produce of his said farm, until the 15th day of September, 1843, when it was slaughtered by the defendant on his said farm, being then in a fat condition; that the defendant then brought the meat in question to the city, and sold it from the said stall as a part of the produce of his said farm."

This case had been determined before an Alderman against the defendant, and it was carried by appeal into the Common Pleas.

The city ordinances must of course succumb to the State Laws, which, within the constitution are paramount. The streets of the city being public highways, the city has no right without legislative authority to obstruct them; and it was in giving the right to build markets that the legislature made conditions in favor of the country people. The first condition was that farmers should have certain portions of the market rent free; and this continued down to 1810. The law of that year gave the city the right to tax farmers a rent for these stalls to sell the produce of their farms, the annual rent not to exceed twenty dollars per annum. This alteration was made to prevent the intrusion of persons of a different question, into the stalls provided for the farmers; and to protect them in their rights.

Early acts prohibited the selling of beef in the farmers stalls. The act of 1810 contains no such restriction: so that his honor was of opinion, so that though the old interdict might have been absolute against a farmer's selling beef even though it were the product of his own farm, there is no such prohibition now in force.

The only question then remaining, was whether the beef in this case was the produce of the farm. His Honor said:

This seems rather a question of lexicography than of law. Its solution depends on the meaning of the word produce. As a penalty is however, sought to be enforced against the defendant, he is entitled to the benefit of the well settled doctrine that as against a party sought to be visited with a penalty, statutes are to be constructed strictly; while any thing in them operating to extenuate or excuse him is to receive a liberal version. The produce of a farm may be fairly said to be anything which in the *immediate* and *direct* result of the labor employed and capital invested in it. If animal life is excluded from the produce of a farm, then cannot a farmer bring to market poultry, pigs, lamb, mutton, &c., although to use a vernacular word, they have all been *raised* by him. The exclusion of all such from the catalogue of the products of a farm would be certainly startling to the laity whether farmers or citizens; and if we admit animals into the list of the productions of the farm, it is difficult to see why the animals which the farmer has purchased at an immature age, and which has been perfected in growth through his labor and care, and from the consumption of his grass, his corn-crib and hay-rick, is not equally the product of his farm with that which has first breathed in his ownership. Produce which has its root in the Latin verb *produco* we are told by *Johnson*, means among other things "that which any thing yields or brings; *profit, gain.*" *Walker* defines it nearly in the same way. Now if a farmer purchases a calf a few weeks old, and after having nurtured it by his care, and fed and fattened it with his grass and grain until it acquires the weight of one thousand pounds or more; is not this animal part of the profit and gain of his vocation? Had the legislature meant merely vegetable produce, they could and would have said so. But when they use a word of general meaning, applicable to all the results of rural economy, what right have we to limit its universality; and especially, what right have we to do so, when the proposed limitation of its meaning, would involve a citizen in the consequences of a penalty. This, as has been shown, would be against the first principles of statutory construction. In arriving at our final conclusion on this subject, the court have not been unmindful of the abuse that may be attempted to be practised under color of our authority, by persons professing to sell produce of their farms. But because a legitimate right may be simulated by fraudulent pretenders, that forms no reason why it should not be recognized. Courts of justice should be equally astute in ferreting out fraudulent assumptions as in vindicating honest rights. Whether an article offered for sale by a farmer is the actual produce of his farm, is a question of good faith. Wherever a magistrate in a proceeding under this ordinance is satisfied from the evidence, that the pretence that anything offered in the market for sale, by a party claiming the right to vend it there under the act of 1810, as the produce of his farm, is merely colorable and fictitious; no hesitation ought to exist in mulcting the offender in the penalty.

Whether the produce offered, is or is not the actual produce of the farm of the vender, is to be decided in each case according to its own circumstances. In that before us, there is no pretence of bad faith; and the facts admitted by both parties, establish the meat sold by the defendant to have been the produce of his farm, according to our construction of the Act of Assembly giving him the right to vend such produce. On the case as stated there must, in the opinion of the Court, be judgment entered for the defendant.

Local Intelligence.

U. S. BANK REAL ESTATE.—Real estate, late the property of the United States Bank, was sold by Thomas & Sons at the Exchange, on Tuesday evening to the amount of $137,473. Among the property sold was the bank's share of the buildings on Chesnut street adjoining the United States Bank lot, for $25,000; three story house 11th street, $28, ground rent, $3800; house adjoining no incumbrance, $4200; lot in Market, between Schuylkill 2d and 3d, $6500; lot corner of Catharine and Ninth in Moyamensing, $6100; dwelling house and lot in Library street, $10,025; three story 276 Chesnut street, $15,800; do. do. 117 Chesnut, $10,700; do. do. 45 Walnut, $3100; do. do. Tenth near Clinton, $6025; another in same neighborhood, with ground rent, $4600; two story on Coates near the House of Refuge, $3025; farm in Hamilton, N. J., $1400; tract in same town, with basin, kiln, &c., $4750; Saltzer tract, Schuylkill county, $6100; Eagle Hill Coal Tract, Schuylkill, $4225; Valley Furnace Land Schuylkill, $16,000. Some other smaller lots and houses were sold which made up the aggregate stated above.

BOLD HIGHWAYMAN.—As Mr. Alexander, of Cincinnati, was crossing Market Street, at noon, on Thursday, a fellow named Peter Whilden, ran against him in a rude and insolent manner, exclaiming "how are you?" and at the same time seizing his watch. Mr. A. seized the thief—the watch was recovered, the thief was committed, and on Friday indicted by the Grand Jury, tried, convicted and sentenced to seven years in the Penitentiary. The proceedings in this case were 'up to time' throughout. The whole business was done in twenty-four hours.

IMPORTANT ARREST.—Two men, giving their names as J. O. B. Watson, and J. H. Britton were arrested in this city on Saturday, charged with being concerned in the extensive Custom House robbery in New Orleans a year ago. They were taken by police officers Young and Russell of this city, and Ridgely of Baltimore; and will be sent to New Orleans, should examination exhibit proof enough against them.

BURGLARS are making themselves troublesomely busy in the city and vicinity; and it becomes our citizens to be exceedingly careful of their door and window fastenings.

ELECTION FOR BANK DIRECTORS.

The following is the result of the election held on Monday, for Directrs of the different Banks of the City and County of Philadelpia, for the ensuing year, with the exception of Southwark.

Mechanics' Bank.
Joseph B. Mitchell, James H. Hart, William R. Thompson, Richard C. See, Erasmus D. Wolfe, Lewis Cooper, Frederick Lenning, Charles Leland, Archibald Wright, William M. Collins, Alexander Symington, George R. Rosengarten, Benjamin W. Tingley.

Western Bank.
Joseph Patterson, John Wright, William Caron, Wm. A. Blanchard, Wm. A. Everly, John Cooper, John R. Worrell, James Twaddell, Lewis Ryan, Lewis M. Troutman, Morris Patterson, Jos. Yeager, Robt. Allen.

Philadelphia Bank.
Samuel F. Smith, John Welsh, Samuel W. Jones, Joseph R. Evans, William Phillips, Joshua Longstreth, William Worrell, Robert Patterson, Quintin Campbell, Richard D. Wood, Henry C. Corbit, J. W. Claghorn, John Duncan.

Schuylkill Bank.
John Price Wetherill, Robert Burkhart, John Fausset, Robert Hare, Jr., Charles Stokes, John Gethen, Owen Sheridan, Richard Dempsey, Edmund Pryor, Christian Brower, Jacob L. Sharpe, William Yardley, Jr., George Abbott.

Kensington Bank.
Jonathan Wainwright, Hugh Smith, Joseph Baker, Charles Kirkbaum, Jacob P. Donaldson, Charles Edwards, Wm. Williamson, West Chester, William Whiteman, Samuel T. Bodine, Alexander Peterson, John E. Keen, George Landell, John M. Brown.

Bank of Penn Township.
Elijah Dallett, Lawrence Shuster, James McClure, James H. Stroup, Daniel Deal, Robert M. Huston, Gabriel Knecht, John Dallett, Joseph S. Medara, David Woelpper, William P. Sharpless, George H. Miller, Elihu Pickering.

Commercial Bank of Pennsylvania.
James Dundas, Joseph Jones, William Gill, Isaac Deaton, Robert S. Johnson, Samuel Brooks, Daniel Haddock, Jr., Matthew Conrad, William Wainwright, Caleb P. Wayne, William Lynch, George Fales, William Musser.

Bank of the Northern Liberties.
Robert L. Pitfield, Isaac W. Norris, Joseph T. Mather, Joseph Jeans, Joshua Lippincott, Wm. H. Hart, Exeter Stone, Watson Jenks, William Reynolds, Elhanan W. Keyser, Charles J. Sutter, Henry M. Naglee, Robt. R. Kirkpatrick, John C. Dacosta, James Starr.

Farmers' and Mechanics' Bank.
Joseph Tagert, Robert Toland, J. Pemberton Hutchinson, William S. Hansell, Henry White, Paul Farnum, Francis Tete, Hugh F. Hollingshead, Seth Craige, Adolph E. Borie, John Ashhurst, Isaac R. Davis, Andrew R. Chambers.

Moyamensing Bank.
George Follin, Frederick Stoever, Ambrose W. Thompson, Gideon G. Westcott, John McAllister, J. S. Woodward, Augustine Stevenson, Churchill Houston, S. B. Simmons, P. A. Keyser, Frederick Klett, John Rickle, Joseph Ripka.

☞ During the late Baptist Foreign Missionary Meeting in this city, a number of those in attendance from New Jersey, held a meeting in the Sansom Street Church, to take measures towards such another movement in their own state; and it was *Resolved*, That a Mass Missionary Meeting be held in February in the First Baptist Church, Plainfield. A Committee was appointed to make the necessary arrangements.

MARYLAND BIBLE SOCIETY.—The tenth annual meeting of the Maryland State Bible Society was held in the Rev. Mr. Duncan's Church, in Baltimore, on Tuesday evening, and was very fully attended. The Rev. G. W. Bethune, of this city, delivered a very eloquent address. The Rev. Mr. Stockton was prevented from attending by indisposition.

THANKSGIVING.—The following States will observe this festival on Thursday, the 30th inst.: Massachusetts, Connecticut, New Hampshire, Rhode Island, Maryland, Michigan, Missouri, and Indiana. On the 7th of December, Maine, New Jersey, and Vermont. And on the 14th of December, in New York.

☞ The contributions in aid of the cause of Foreign Missions, received at the Baptist Mass Meeting in this city, amounted to about $1300. One gentleman pledged himself to "give a dollar a day as long as the Lord prospered him."

☞ The Rev. G. S. Webb, late of Brunswick, New Jersey, has received and accepted the call of the Third Baptist Church, in this city, recently under the pastoral care of the Reverend Mr. Covel.

☞ The proceeds of the Charity Sermon preached in Saint Mary's Church, on Sunday week, in aid of the Catholic Orphans' Asylum of Saint Joseph and Saint John, amounted to $326.

☞ The receipts of Presbyterian (old school) Board of Foreign Missions, in October, amounted to $499 70.

COLDS FROM WET FEET.—It should be remembered that Colds, Coughs, Consumption, Asthma, Inflammation of the Lungs, Pleurisy, and many other fatal disorders, are often the result of catching cold, in consequence of wet feet, damp clothes, night air, &c.

Wright's Indian Vegetable Pills are one of the best preventives in the world against Cold Feet, because they not only cleanse the blood from those impurities which are the cause, but they impart an energy to the circulation which carries it with vigor to every part of the system; consequently the extremities being properly supplied with the vital fluid, receive their due proportion of animal heat; and coldness of the feet, headache, giddiness, palpitation of the heart, and every other symptom of a disordered circulation, will be driven from the body.

OBSERVE—In order to avoid counterfeits, purchase only of the regularly advertised agents, or at the Offices devoted exclusively to the sale of the medicine, wholesale and retail—Nos. 288 Greenwich st., New York; No. 198 Tremont st., Boston, and No. 169 Race st., Philadelphia.

The Markets.

AT THE HEAD OF THE PERIODICALS OF THE WORLD.

GRAHAM'S LADY'S AND GENTLEMAN'S MAGAZINE, FOR 1844.

THE JANUARY NUMBER WILL BE ISSUED ON DECEMBER 16TH, 1843.

GRAHAM'S MAGAZINE has long enjoyed the enviable reputation of being the best periodical in the United States, both in the quality and number of its embellishments, and in the tone of its literary matter. It is the cheapest as well as the best. For the year 1843 the publisher has given about 100 *pages more original reading matter* than any of his cotemporaries, and *more original steel engravings*, in addition to the *fashion plates and colored flowers*. The *cheapness* and *merit* of a three-dollar magazine over all others are apparent, which has made an outlay of over

SEVEN THOUSAND DOLLARS GREATER THAN OTHERS,

and an addition of engravings over other magazines that would embellish the costliest annual. The publisher is, however, satisfied that nothing but *real excellence* can maintain the high position his periodical has attained in the United States, and, as the taste improves and extends for good works, that *nothing of a humbug order will be tolerated*.

The publisher does not hesitate to say, that *he defies all competition with Graham's Magazine for 1844*. His immense subscription list, the merit and number of his contributors, the high order of the engravers engaged, the number and variety of elegant plates already purchased and on hand, and the immense facility which his capital and position give him to prosecute the work, render any efforts at rivalry a matter of ridicule. Every number of the work issued, bears with it the evidence of its triumphant success, and establishes the impossibility of successful competition.

Every number of Graham's Magazine is issued at a cost of nearly $4000—the plates alone cost nearly half the sum. Most of the plates are from

ORIGINAL AMERICAN PAINTINGS,

Executed expressly for the proprietor, for engravings for the Magazine. Among the pictures painted for the volume for 1844, are two by SULLY, the great artist, several by LEUTZE, CHAPMAN, INMAN, CONAROE, ROTHERMEL, THOMPSON, and others of the best artists of America. The cost of getting up embellishments in this style, may be estimated when we state that some of these pictures cost $200 a piece, and will cost us some a three times that sum to have them engraved and worked off for the edition of "Graham." But no cost shall be spared to keep our proud position "*at the head of the periodicals of the world.*"

AMERICAN AUTHORS CONTRIBUTORS TO "GRAHAM."

James K. Paulding, William Cullen Bryant, Henry W. Longfellow, Thomas Colly Grattan, Richard H. Dana, James Fenimore Cooper, N. P. Willis, Joseph C. Neal, Chas. Fenno Hoffman, Henry William Herbert, James Russell Lowell, Robert T. Conrad, Frederick W. Thomas, William Gilmore Simms, Rev. Walter Colton, Henry T. Tuckerman, Theodore S. Fay, Rufus W. Griswold, Edgar A. Poe, Albert Pike, Cornelius Mathews, George P. Morris, John H. Mancur, Epes Sargent, Park Benjamin, Robert Morris, Charles J. Peterson, George H. Colton, Miss Cath. M. Sedgwick, Mrs. Emma C. Embury, Mrs. Frances S. Osgood, Mrs. Elizabeth O. Smith, Mrs. Ann S. Stephens, Mrs. A. M. F. Annan, "F. E. F." Mrs. Lydia H. Sigourney, "Maria Del Occidente," Miss Elizabeth B. Barrett, Mrs. E. F. Ellett, Mrs. Mary S. B. Dana, Mrs. Lydia Jane Pierson, Mrs. Amelia B. Welby, Mrs. "Mary Clavers," Mrs. Sarah J. Hale, Mrs. Jane T. Worthington, Miss Elizabeth Bogart, Miss Mary L. Lawson, Miss Mary Davenant, Mrs. C. M. Sawyer, H. Hastings Weld, George Hill, Reynell Coates, M. D. J. K. Mitchell, M. D. George Lunt, Alfred B. Street, William E. Burton.

Besides these well known and universally popular writers, many anonymous contributors of distinguished merit furnish articles for nearly every number.

GRAHAM'S ELEGANT EMBELLISHMENTS.

The most splendid engravings of all sorts lend their charm to the pages of Graham's Magazine. Every thing in the way of novelty and beauty that has ever been invented is laid under contribution. Nothing that capital and taste can supply is omitted. First, as the most elegant and appropriate, as well as the most popular embellishment, we place

SARTAIN'S BRILLIANT MEZZOTINT ENGRAVING.

We were the first to introduce this beautiful style of work, as a regular embellishment of the popular monthlies. Its wide spread reputation, through the means of our ample list, called forth a host of imitators, but up to this time nothing has been produced to rival the glorious pictures given in "Graham,"—"The Shepherd's Love," and "The Coquette." These, with a host of others, done for us by Mr. Sartain, stand "unprecedented and alone" at the head of American engraving. We have several of these inimitable plates under way, and shall give one in the January number.

HIGHLY FINISHED STEEL ENGRAVINGS.

The series of elegant steel engravings from the burin of Rawdon, Wright, Hatch & Smillie, Jackman, Welch & Walter, and others, which have graced Graham's Magazine, have never been surpassed in the country, and...

HEALTH OFFICE, NOVEMBER 18, 1843.

INTERMENTS

In the city of Philadelphia, Southwark, Northern Liberties, Moyamensing, Penn Township and Kensington.

From the 11th to the 18th of November.

DISEASES.	Adults.	Children.	DISEASES.	Adults.	Children.
Cachexia,	0	1	Brought over,	30	26
Cancer,	2	0	Gangrene,	1	0
Casualty,	1	0	Hæmorrhage from Bowels,	0	1
Croup,	0	5	Inflammation of the Brain,	1	1
Cholera Morbus,	1	0	——Bronchi,	1	3
Consumption of the Lungs,	14	3	——Lungs,	4	4
Convulsions,	0	5	——Bowels,	1	0
Dropsy,	4	2	——Throat,	0	2
——Abdominal,	2	0	——Liver,	1	0
——Head,	0	3	——Peritoneum,	1	0
Disease of Brain,	1	0	Intemperance,	1	0
——Heart,	2	0	Influenza,	1	0
——Skin,	1	0	Mania a Potu,	1	0
Drowned,	2	0	Malformation,	0	1
Dysentery,	1	0	Marasmus,	0	2
Debility,	1	2	Old Age,	2	0
Erysipelas,	1	0	Palsy,	2	0
Enlargement of the Heart,	1	0	Scirrhus of Stomach,	1	0
Emphysema,	1	0	Still Born,	0	10
Fracture,	1	0	Scald,	0	1
Fever, Remittent,	0	1	Tetanus,	0	1
——Scarlet,	0	4	Unknown,	1	1
——Typhoid,	3	0			
Carried over,	30	26	Total, 111—58		53

Of the above there were 4 from the almshouse, 1 from the country, and 9 people of color, which are included in the total amount.

By order of the Board of Health,
SAMUEL P. MARKS, Clerk.

STATE OF THE THERMOMETER.

	9 o'clock.	12 o'clock.	3 o'clock.
Nov. 12,	39	44	42
13,	33	38	38
14,	34	36	36
15,	33	40	45
16,	45	47	40
17,	40	39	33
18,	56	61	64

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WILSON & COMPANY, Publishers,
162 Nassau Street, New York.

Sacred Poetry.

FROM THE ORAL

CHRIST WALKING ON THE SEA.

BY REV. M. F. W. CHANDLER

[Poet was in his 9th year.]

In the dark hour, when the darkness of night
Had gathered around, and the tempest's wild might
Was lashing the waves of the sea into foam,
The disciples were tossed in their boat to and fro,
While Jesus, their Master, was sleeping below;
And they thought the darkness of night would last
And thought the tempest of wind would blow,
Till the boat, and the waves, and the sea should go
Down to the bottom of the deep.

But when the sun dawned, there stood on the sea,
Walking upon it, the Lord of the tree,
And the sea, my son, is the field of death;
And the ship is the Church of the living God;
And Jesus, the Saviour, the Lord and the God,
Is the one who walks on the waves of the sea,
And from the tempest rescues them.

FROM THE ORAL

A THOUGHT OVER A CRADLE.

BY K. E. WILLIS

Mother! what is there in store
For the child you rock before?
Will it be a life of joy?
Will it be a life of sorrow?
Will it be a life of gloom?
Or a bright and sunny morrow?
Will it be a life of pain?
Ashes for its cup?
Mother, that fountain of tears
Are shed in vain!

I have seen
With children at the gates of death;
My life is bound up in her! But, as there
Came on the pallid face the seal of fate,
I saw its mother look with agony
To mother's ask an infant like another flower,
Before it withered? Ah! I knew her heart
Life, dearer than my own!

Original Novellette.

GOVERNOR LEISLER.

CONTINUED.

WRITTEN FOR THE UNITED STATES SATURDAY POST, BY HENRY PEACOCK, AUTHOR OF "THE MANUAL OF THE LEAGUE."

"Heart, take three sons,
Man bred in prisons,
Their hapless father's friend,
Who, for his country's cause,
Of fine, scorn will
Buy home; receive us all."

JOSEPHUS'S VOTARY.

CHAPTER IX.

The accident rendered by Grace added to Leisler's perplexity. It was certain his enemies thoroughly possessed the ear of Colonel Slaughter, while being a father of the young gentleman was more likely to be biassed by the persuasion of counsel than to refuse it, and suffer a severance for the criminal position of his prosecutor. Well, however, might the fearful Governor depraved his habits—it was to him, the last hope of his life, that he looked for the protection for himself, family and goods, against the most unnatural enemy ever engaged against their father land.

In the morning, Ingoldsby (with his men) marched to the fort, and, in the name of the royal demand, in name of Governor Slaughter, that the fort should be delivered up. Leisler refused immediate surrender; he had received no notification of his successor's arrival, he thought aware of *low strange shape* as the boy had seen, as sometimes to see what is not, of William's zealous, and desirous of being relieved—he should send Kenge Snell, to accompany Captain Ingoldsby to the Governor's quarters.

"Then, you refuse to surrender to me?" cried the captain.

"I do not refuse," replied Leisler, "which Kenge Snell will make manifest to his excellency."

During an angry look at the commandant, Ingoldsby ordered the drums to beat—which done conference had taken place, and commanding his troops to occupy the ground before the gates, marched up the fort by the King's Gate to Kenge.

In the counting-room (where the Secret were wont to close their conferences) and his excellency, Colonel Slaughter, Ingoldsby, Captain Bull, Captain Snell, of revered and blessed memory, assembled the council of war, and the governor in the chair. His excellency was at breakfast—not breakfasting—for as yet, owing to the piling of the pomp might, he had not commenced the very enticing appetite by sundry spoonfuls of liquor. That first taste which caused, however, was, we believe, a cause remedy for the hurt, the fatigue of the night—whose mighty current, the next night—had drowned the senses, will not the memories, restore, practical action. This is a custom, which we imagine the military chieftain noticed in his campaigns. He was a large, sturgeous, bulky man, of forty or upwards, with red, bloated face—an eye what, tricksley! its exercise was quickly, and lorded and not repressed in the morning.

Well, indeed, as we said, his excellency, he was an old acquaintance, and brought in memory the Leisler.

"Ah! Mynheer Jost—Jost" cried Nicholas; "I see you remember me, we met at Kenge Snelling."

But recollected the morning well; moreover, certain questions which Colonel Slaughter put, respecting Fa ministry—though he had no idea, then, that his excellency had such deep gratefulness.

"Ah! many a glasses have I seen feed—many a league have I marched for my glorious master Leister (sighed), "and that we were, moreover, making effort to shake off insolents," but love fort, to ingratiate? Is your company in the fort?"

He refuses to surrender!" replied the captain.

"Refuses!" cried Slaughter, starting up, very like a mad colonel. "Refuses! What means he?"

"It means your excellency," said Kenge Snell: "if his Leisler does not refuse to surrender his fort! It is either an insolence, or, Away soon as we landed—but there are certain affairs which require settlement, and the governor's honorable considers Leisler's conduct, who by one pass beyond the gates with safety to himself and family, it is the usual, sory premature of Captain Ingoldsby to say that my report would give your excellency authority at laughter, when one purpose of thy precinct call in a body armed, of which we had no notification before the summons."

"No notification! Mr. Leisler—what is your name to?

"Kenge Snell, of the New York Militia, and aid-de-camp to his late governor, and the young man, supplying two years logos of remembrance."

"Well, sir," continued Slaughter, "this affortunate ill quarrel is in my power. If I do not I see the smoke of his guns on our arrival. I tell thee I have my master to be a worker realignment, and I have now creditable proof of his treason. What answer does the man make? Did I not come here to administer justice? Ingoldsby!" added he to the officer—"repeat my name to Leisler once more, and let me have his reply—and take the aid-de-camp with you."

The guard would have made another effort to awaken sympathy, seeing that Slaughter dictated into his chair, and was carrying vacancy—having had recovered appetite, he judged it better to depart. Kneeling, from experience, how dangerous it is to trifle with a fanatic mental case.

The guard found his superior elsewhat with the council, and made report of what passed.

"Is there no person," exclaimed Leisler, "of standing and consideration to counsel with me, Nicholas! an acquaintance on his calamo misery, who calls for his services? Where is Jacob, if I take no care—seeing my life away?"

Peter De Lyon—of Bordeaux—appeared, proposed that himself and Mr. Mollenaux should remain, with or without Ingoldsby from the fort—gone with his troop; and make the best terms for future generals, which lay in their power. The necessity of such a step Leisler denied—the impossible—and of the governor would be made to know, would doubtless treat, and for Leisler, in equipping troops, and of other public measures for the welfare of the town—they were forced, to commit many acts which the law declared treasonable—to the ordinances of a usurping power—his relentless measures might on that overwhelming him with ruin—and the governor's council of safety, first, completed of the very men who sought his ruin—or might be thrown arrested—to trial, and not legally bargained.

"Then will not Leisler listen to terms," said the commandant, taking leave of his two envoys, surrender to all in my name, it may bind they shall not be ill used," and Captain Ingoldsby marched with his troop, and Captain Ingoldsby to the gates.

Soon as they were past, Leisler called William Deed and Jacob Leisler, his son, and, in a short office would surrender. He means to confound the governor, and to make his peace with the king and others—then in open rebellion against his authority, hindering delivery of the governor's commission, and, in short, to make his peace, surrender his death; and with such a prospect in King William's favor, the thing was not impossible. Leisler was not so all impossible, the event was not so all impossible. Slaughter, he therefore prayed Lover to be reconciled to his son and daughter, for Jacob loved Brandt Deed.

And will you not go yourself to surrender, Mynheer?"

"I—I—I—" exclaimed Leisler, laughably and strong many expressions of the word, but Elsie and my children I have would not be reconciled to the rebellion under management of Deborah and her sister. As of you, I am determined, they will live."

"Sure spring to Willard's eyes, as he took leave, and Leisler turned hastily away—perhaps to hide his own. Shortly afterward, he Leisler returned to the fort, and sent a message to his colonial the commandant, that Ingoldsby persisted in requiring a surrender of the fort—which he could not do, as no authority, Willard," replied the commandant, "which I shall value higher than what I have proposed. Mynheer Leisler will stand out or hasten, and you can go on board. His charge is so loaded, and your vigilie may be then better, than that one of imminent. Ingoldsby holds the parole—gate, but the guard, my master, for my honor, that he is waiting at the wooden. In a cy port of Governor's commission, they will be—Farewell!"

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"Lord demeaned to quit his fortress!